THE COURTS.

SEEFFLIN. THE WIFE MURDERER

Testimony for the Prosecution-Condition of the Mardered Woman When Found by the Police-A Horrible and Sick- ening Scene of Depravity-Details of the Post-Mortem Examination-Entering On the Defence To-Day.

THE BELGIUM MURDER.

The Refort to Extradite Carl Vogt --- Argument Upon the Writs of Habeas Corpus and Certiorari--- Judge Blatchford Takes the Papers and Will Give an Early Decision.

BUSINESS IN THE OTHER COURTS.

Memento of the New York Riots in 1863-Ver dict Against a Life Insurance Company-A Ticket-of-Leave Man Sent to State Prison-Important to Real Estate Dealers-A Loose Transaction.

In the United States Circuit Court yesterday the case of Carl Vogt was up for argument before Judge Blatchford on writs of habeas corpus and certiorari. Vogt is claimed to be a Prussian subject. It is arged against him that he is guity of the offences of murder, robbery and arson at Brussels, in the Kingdom of Belgium, and it is held by the Prussian government, who have made a demand neir laws give them jurisdiction over crimes committed by Prussian subjects in foreign territories. may try him for the alleged murder the same as if it was perpetrated on Prussian soil; while, on the other hand, counsel for the accused maintains that It would be straining the treaty too far to comply with this demand of the German government. question is an extremely important one, and has now been raised for the first time in this country. Judge Blatchford will render his decision in the course of the ensuing week.

Jacob O. Smith, who had carried on the business of a wholesale boot and shoe dealer in this city. was charged with acts of alleged traudulant bankruptcy. He left for Chicago some time since, and was brought back yesterday by Deputy Marshal Purvis. Defendant was held for trial.

The case of George McDonnell, one of the alleged

forgers upon the Bank of England, had been set wn for continued examination yesterday before Commissioner Gutman, but it was adjourned till the 24th inst, on the application of counsel for the defendant. Counsel for the British government state that they have received from London several depositions of an important character. The contents of these depositions will not be made public until the time comes for reading them in evidence

The two remaining jurors required for the trial of George Shemin, who was brought to trial on Tuesday in the Court of Oyer and Terminer, before Judge Brady, on a charge of murdering his wife, was obtained yesterday morning from the extra panel summoned for that purpose. When the Court had adjourned all the testimony for the prosecution had been submitted. The case for the defence will be opened this morning, and it is the intention to

finish the trial to-day it possible.

A trial yesterday before Judge Davis, holding Supreme Court Circuit, revived painful reminisences of the riots in this city in July, 1863. A poor shoemaker, who was robbed by a gang of the rioters of some money and a portion of his stock in trade, obtained a verdict against the city indemni-

In the Superior Court, yesterday, before Judge Freedman, a verdict of \$10,000 was obtained against the Mutual Benefit Life Insurance Company on a life insurance policy. The defendants were willing to have a indoment entered for the amount of the policy, but the plaintiff wanted more, and got it in the shape of costs and an extra allowance.

Considerable time was occupied yesterday in Supreme Court Chambers, before Judge Fancher, ussing the question of granting a peremptory mandamus against the Comptroller, directing him to pay M. Kazinski, interpreter of the Courts, an mount alleged to be due him upon the raising of his salary from \$2,000 to \$3,500 per annum. After hearing the argument the Court took the papers,

reserving its decision.

The old suit of J. L. Brown for \$86,000 for extra street cleaning has been too often ventilated in the HERALD to have the facts forgotten. In a recent suit it was shown that \$70,000 was the most that could be rightfully claimed. Application was made to the Board of Audit to audit and allow the claim at this amount, which was refused. Application was accordingly made yesterday before Judge Fancher at Supreme Court Chambers for a peremptery writ against the Board, directing it to This Judge Fancher would not do, but granted in its stead an alternative writ, so that the case will come up soon again for reargument.

THE WIFE MURDER TRIAL

Second Day of the Trial of George Shef-Ain-All the Testimony Submitted for the Prosecution-The Details of the Horrible Crime-Probable Completion

of the Trial To-Day.
The second day of the trial of George Shefflin, on a charge of having murdered his wife on the 15th of last January, in the rear tenement house 414 East Eleventh street, attracted yesterday, in the Court of Over and Terminer, Judge Brady on the bench, as large and curiously eager a throng as on the opening day of the trial. Shefflin was brought premptly into Court by the Deputy Sheriffs having him in charge, and presented the same stolid appearance as on his first arraignment. He was given his seat as before behind his counsel, Mr. lliam F. Howe and Abe H. Hummel. District Attorney Phelps, who adds to his many other virtues that of punctuality, was early on hand, as likewise was his able and indefatigable assistant, Mr. Lyons.

. The ten jurors previously obtained were also early in their places. It took nearly two hours to all the two remaining vacancies in the jury box. owing to the fact of a large number of those examined from the first panel being opposed to capital punishment. The jury as finally obtained consists of the following gentlemen:—Marvin Briggs, Rob ert F. Cooke, Francis A. Murdock, Hugh Corcoran, Henry O. Wentworth, Frederick R. W. Hahn, Henry Ewing, John C. Valentine and Abraham W. Maas. Having reached this progressive stage in the case, though the time by no means dragged slowly, owing to the varied amusing but searching inter-

owing to the varied amusing but searching interregatories of Mr. Howe, whose fund of wit seems to be as exhaustless as it is fresh and pungent, a recess was taken for an hour.

OFENING THE CASE.

On the reassembling of the Court Mr. Phelps opened the case on behalf of the people. He said that the present was another instance of one of those shocking, sickening crimes that co one of those shocking, sickening crimes that so often affict this community. It was one of those crimes that could only be suppressed by a faithful execution of the law. It was a painful fact that human life was iosing its sanctity in this community. A great responsibility rested on them as jurors. All that he could ask at their hands was an impartial verdict on the evidence. He then proceeded to recita the facts of the alleged murder. At the time of the killing the prisoner and his wife were living separate. He lived up town and she was staying with his parents and a sister. They

lived on the ground floor of the building rear of the fast Eleventh street. On the evening of the tragedy the prisoner had been to a meeting of plasterers, he being a plasterer by occupation, and after that went to this house. All of them were addicted to the unfortunate habit of drinking to excess. The next morning the police were notified of the murder, and, on repairing to the place, a scene of most disgusting brutality met their gaze. She lay in a pool of blood, her body covered with bruises and her scalp nearly torn from her head. The prisoner had gone to his residence and was there arrested. He could think of no excuse for so atrocious a murder, though whatever excuse there might be they would hear from the prisoner and his able counsel. All he could ask was a conscientious verdict at their hands.

TESTIMONY FOR THE PROSECUTION.

there might be they would hear from the prisoner and his able counsel. All he could ask was a conscientious verdict at their hands.

TESTIMONY FOR THE PROSECUTION.

Terrence Riley was the first witness called. He testified that he belonged to the Seventeenth police precinct; on the 15th of January last he went to 414 East Eleventh street; two tenement houses are built on the lot, one in front and one in the rear; he went into the rear house, and in a rear room on the ground floor he found two women, beth of whom were asleep; he woke them up and found they were intoxicated; in the adjoining room was a woman lying dead on a mattress; she was entirely nude; he found her scalp nearly removed; he saw the prisoner was in a cell.

To Mr. Howe—He had on a cap, and Shefflin must have known that he was an officer; he told the prisoner that this was an unfortunate affair, and asked him how it happened.

Q. Did you not tell him that it would be better for him to tell you all about the affair? A. Not to the best of my recollection.

Mr. Howe objected to this line of evidence as incompetent, but the objection was overruled and exception taken.

Witness resuming—The prisoner said he had been drinking; I asked him how about the scalp, and he said he sapposed he did it kicking; I asked about the knile, and he said he didn't know about that (common table knife shown); this knife I picked up on the premises; it was in the same condition as it is now, except that I think the spots on it were wet; I thought the spots were blood.

Cross-examined by Mr. Howe—Q. Was the blood congealed? A. I don't know that congealed; I never studied the dictionary.

Q. Was it transparent? A. Yes.

Q. What do you mean by transparent? A. Clear. Mr. Howe—That's clear. (Laughter.)

Officer Edward Kennedy testified that he, too, visited the house, and found the last witness there, he corroborated substantially the evidence of the last witness. There was blood in the corners of the outer room, between the bedroom door and the hall door, covering perhaps ha

by the cross-examination of this witness, but no facts of special interest were elicited.

Ferdinand Stunstrom, who occupies a lager beer saloon in the front of the two buildings, testifled that six months before the occurrence Shefflin had moved into the rear building, but had left it some two months before; his wife also left, but came back; he saw Shefflin the morning after the killing, when Shefflin told him that he had been at a meeting last night and was downhearted about his father going to the hospital; he had drank a little more than he ought to, and when he came in the night before he quarrelled with his wife, and he "licked," her in the room and out of it; he lay down on the bed, and when he woke up found his wife lying dead with the quilt over her.

Cross-examination—The prisoner's wife drank

woke up found his whe lying dead with the quitover her.

Cross-examination—The prisoner's wife drank
frequently; she was drunk almost every day.

Detective officer James P. Bennett testified that
he arrested the prisoner about four P. M. in the afternoon of the 15th, at 1.845 Third avenue; he
found him in a bed room on the third floor, asleep;
he woke him up, told him to dress himself and go
with him, as he was his prisoner; he took him to
Police Headquarters; on the way the prisoner told
him that he beat his wife because he saw a man
coming out of her room, but that he did not mean
to kill her.

with him, as he was his prisoner; he took him to Police Headquerters; on the way the prisoner told him that he beat his wife because he saw a man coming out of her room, but that he did not mean to kill her.

Dr. Simeon M. Leo, Deputy Coroner, testified that he saw the body of the murdered woman at 414 East Eleventh street, and subsequently assisted at a post-mortem examination of the body; he found a contused wound over the left eye and bruises on the left arm, left shoulder and left hand knuckles, and the left hip excortated; the scalp had been loosened from just above the eyebrows to near the centre of the back of the head; the cause of death, in his opinion, was hemorrhage from the removal of the scalp, exposure and the bodily injuries to which she had been subjected.

Cross-examination—Will you undertake to swear that she did not die of delirium tremens? A. I don't think she did.

Q. Can you say she did not? A. I cannot.

Q. Can you tell whether either hemorrhage, bruises or exposure, might have caused her death? A. Either might.

Q. Would not failing against the edge of a stove remove the scalp? A. Kicking would.

Q. Were there any contused marks on the head? A. No, sir; failing against a sharp substance might have removed the scalp.

Dr. Janeway, one of the physicians at Bellevue Hospital, testified that he made a post-mortem examination of the body of the deceased; be described the external injuries substantially as the previous witness; he described an-additional wound on the abdomen and one on the lower part of the spinal column; the internal organs were healthy, except the liver, which was slightly fatty; he attributed death to hemorrhage and shock from her injuries.

Cross-examination—Q. Were the arteries affected by the removal of the scalp, cut or torn?

A. They were severed.

Q. Any layman could tell that. Can you not tell whether they were cut or torn? A. It was neither a clean cut or lagged.

Q. Can you swear to the cause of her death? A. I cannot positively swear from what I saw.

Mr. Phelps a

trial to-day if possible

THE VOGT EXTRADITION CASE.

Argument Upon the Writs of Habeas Corpus and Certiorari-Decision Re-

In the United States Circuit Court yesterday Judge Blatchford sat to hear the arguments on the writs of habeas corpus and certiorari in the case of Carl Vogt, a Prussian subject, who is accused of having committed murder in Ernasela Relgium. The extradition of Vogt has been demanded by the German Empire, on the ground that a Prussian subject who commits a crime in a foreign territory

Mr. William F. Kintzing appeared as counsel for the prisoner and ex-Governor Salomons for the

The prisoner was in Court, attended by some friends. He is a man of rather good appearance, and seemed to be perfectly composed. ARGUMENT OF COUNSEL.

Mr. Kintzing, after reading the complaint that had been made in this case, proceeded to discuss the question whether Prussia could follow this man, the prisoner, all over the world for an offence committed in the Kingdom of Belgium? If a Prussian subject to-day assaulted a citizen of the United States in the streets of New York, could it be pretended for a moment, that Prussia could bring that subject back and try him for that offence? Such a thing as that could not be permitted. He contended that the treaty could only be taken as meaning that Prussia could only punish offenders for crimes committed within her tetritory, or territorial jurisdiction. If the contrary doctrine were to be upheld, the kingdom of Belgium would never

crimes committed within her tetritory, or territorind jurisdiction. If the contrary doctrine were to
be upheld, the kingdom of Belgium would never
seek a treaty with the United States; and there
never could be friendly relations between
the two governmen's. In an opinion deliver
the treaty with the United States; and there
never could be friendly relations between
the two governmen's. In an opinion deliver
do find the United States, he stated that no person
could be extradited unless for a crime committed
within the territorial jurisdiction of the demandian
country. Counsel went on to argue that unless the
formast the territorial jurisdiction of the demandian
country. Counsel went on to argue that unless the
formast the prisoner could not be extradited under
the treaty of 18-52.

Ex-Governer Salomons replied on the part of the
German government. He said the case was a very
important one, especially when the Court considered the fact that the mandate of the President
had been granted on the requisition of the German
parties were united in their construction
was the proper one, so act to prefix to that word
"jurisdiction." If the construction put by
the learned counsel upon the word "jurisdiction
as within the country or territory of either party.
Let him see if those words were found in other
parts of the treaty, and if by the word "jurisdiction
"there was meant "territorial jurisdiction."
The premable to the treaty used these words:
"Within the territories and jurisdiction of either
parts of the treaty, and if by the word "jurisdiction,"
they came down to the construction of either
parts of the treaty and they would
the treaty of the treaty in the country or territories in jurisdiction.

The premable to the treaty used these words:
"Within the territories and jurisdiction of either
parts of the treaty and they would
the proper one, be seen that the same exacuting as the
proper of the treaty in the country or territories in jurisdiction.

The premable to the treaty used these words the proper one, then the
w

German of the treaty the word "jurisdiction," and there was another word, a German word, also used to express something like the same thing.

Mr. Salemons said the word "jurisdiction" in the treaty meant the legal power or autherity to adjudicate upon the crime without reference to territory, so that if they gave to the word "jurisdiction" its large and proper meaning they could see the reason why the words "for crimes committed within the jurisdiction of either party by men found within the territory and jurisdiction of either party were used. In other words, if a man committed the crime of murder so that the Prussian Court should have jurisdiction of the crime and he should fee to and be found in the territory of the United States, he shall be delivered up; and so, if a citizen of the United States should seew an asylum in Prussia, it would be the duty of Prussia to deliver him up. But whenever any person accused of the crimes enumerated in the treaty committed a new crime in the territory to which he has fled, such person should not be delivered up, under the stipulation of the treaty, until he had been punished for that offence. It was a well-known fact that the principles of international law, as they existed all over the Continent of Europe, enabled governments there to punish citizens not only for offences committed in, but committed out of their territories, if the parties were brought back to the country to which their allegiance belonged. The prisoner was a subject of Prussia; he was brought up there, and had been in the army; he went to Belgium, where he committed the stroctous crimes of murder, rebbery and arson. From Belgium he fied to England, and from thence to the United States; where he was found. An application was made to the Government, acting up to its traditional policy, did not surrender alleged criminals except to countries with which it had entered into extradition treaties. Then an application was made to the Government, acting up to the tradition of the accused; but this request was n

The Court remarked that the Consul at Shanghae had hung several persons there for the commission and hung several persons there for the commission of murder.

Mr. Salomens remarked that even in treaties

of murser.

Mr. Salomens remarked that even in treaties made with semi-barbarous nations they had obtained the right to try their citizeus for crimes committed there—for crimes committed within the territory of another sovereign. They had given to their representatives resident in barbarous and non-civilized countries the absolute power of there trying citizens of the United States for crimes committed in those countries. After referring at length to various authorities on international law, and especially to Wharton, Mr. Salomons concluded an elaborate argument by expressing a hope that the Court would feel bound to deliver such an opinion in this matter as would enable the proper authorities to send the prisoner back to answer for the desperate crime he had committed.

The Court said as the question was an important one—he did not know that such a point had been raised before—he would deliver an oral spinion in the case about the middle of next week, as he should not have time to write one. He would notify counsel on both sides of the time when he would give his decision.

BUSINESS IN THE OTHER COURTS.

SUPREME COURT-CIRCUIT-PART 2. A Small Memento of the Big Riot.

Before Judge Davis. Suits for damages received by citizens during the riots in this city in 1863 it was supposed had long ago reached their terminating point. A trial in this Court yesterday demonstrates, it appears, the erreneousness of this conclusion. Peter Sharffer, a shoemaker, sued the city to recover \$92 and interest. In his testimony he stated that during the riots, or, more accurately speaking, on the 15th of July, 1863, four men came into his shoe store, and, with the freedom of manner in vogue at that time, demanded his money or his life. Preferring time, demanded his money or his life. Preferring to give up his money rather than give up the ghost in this unceremonious way, he gave them \$20, which was all the mensy he had. But this did not not satisfy his visitors, it seems, as they helped themselves in addition to \$72 worth of his boots and shoes.

Mr. Dean, on behalf of the city, moved a dismissal of the complaint, on the ground that the evidence did not show that the parties robbing him had anything to do with the riot then in progress in the city.

had anything to do with the riot then in progress in the city.

Judge Davis denied the motion to dismiss the complaint, and when the time came to charge the jury gave it as his opinion that, from all the surroundings of the case, there could be but little if any doubt that the parties threatening Mr. shaeffer and robbing him were part and parcel of the law-less gang who thus, by this act of highanded outlawry, spread such terror throughout the city.

The jury took but a short time to deliberate upon the case and brought in a verdict for \$150, being the full amount claimed, with interest.

SUPREME COURT-CHAMBERS. Decisions.

Bruce vs. Todhunter.—Motion denied without

Bruce vs. Todhunter.—Motion denied without costs.

In the matter of the petition of Catharine Day, &c.—Report confirmed and order granted.

Morgen et al. vs. Collis et al.—Reference ordered.

Van Winkle vs. Sage et al.—Motion granted.

Brown vs. Wright.—Motion to vacate attachment denied with \$10 costs.

Manhattan Savings Institution vs. Cambreling et al.—Exceptions overruled and report confirmed. Counsel fee to Mr. Pyne of \$75 besides disbursements.

ments.

Spear vs. Baxter et al.—Motion granted and order modified and settled.

Pennington et al. vs. National Spring Company.—

Motion granted.

Cushing v Bushing.—Motion for alimony is denied and counsel fee of \$100 is awarded to defendant.

In the matter of the

fendant.

In the matter of the writ of habeas corpus to produce the body of Rosannah Murphy I consider that the question presented is res adjudicata, and that the petitioner had no right to apply again until the lapse of at least a year from the date of Judge Leonard's decision. Writ dismissed.

Heraghty et al. vs. Hadock,—Metion denied.

By Judge Harden.

Williams vs. Irving.—Papers with the librarian, Mr. Knight.

COURT OF OYER AND TERMINER. An English Ticket-of-Leave Man.

Before Judge Brady.

Preliminary to ruling upon the trial of George Shefflin, the alleged wife murderer, in this Court yesterday, Edward Dent, who, on Monday last, was found guilty of burglary in the third degree and remanded till yesterday, was brought up for sen-

remanded till yesterday, was brought up for sentence.

Mr. William r. Howe, his counsel, appealed to the Court to be merciful, urging that the prisoner had a young wife and two small childres, and that this was the first time he was ever before the Court since his arrival in this country.

Judge Brady replied that he was informed that the prisoner was an English professional thier, and that he would show no mercy to any of this class brought before him. It was to be regretted that he had a wife and children who would stiffer for his effence, but the prisoner should have thought of that before he placed himself in such a position. He would give him the full penalty of the law—five years in State Prison with hard labor.

gain, but when the time of performance came the defendant refused to comply with the contract. The answer of the defendant was:—First—Fraud, misrepresentation and deceit, in this, that the assignor or plaintiff was financially worthless, and his notes good for nothing. Second—That the assignor of the Brooklyn mortgages having been obtained by fraud from the mortgager, one Mme. Blygert, the owner in fee of the Brooklyn property. Judge Curtis charged the jury that aithough contracts under seal were to be construed strictly, yet in legal contemplation the defendant was entitled to have tendered to her good marketable and megotiable paper and valid mortgages; that the onus probend was on the plaintiff to show that the assignor was able and willing to perform his part of the contract at the time and in the manner specified in the contract; that the notes should at the time have been signed, the deed perfected and tendered to defendant for her signature, and that the mortgages should have been valid and of such nature as could be enforced; that if they were satisfied that the plaintiff had not established these things affirmatively no right of action accrued as against defendant; that the assignor of the Brooklyn mortgage acquired no greater tile than was vested in the owner of the fee, and it was contended that her title was clouded, and that excumbrances of record still existed against the property and that the Court was not ousted of jurishing's case, and defendant had faited to conform to the provisions of the law relative to the removal of the cause to a court of record.

Massine Court—PART 3. gain, but when the time of performance came the defendant refused to comply with the contract.

MARINE COURT-PART 3.

Action Against a Surety for a Lease. Before Judge Howland. William S. Ridabock vs. Philip Isaacs.—This ac-tion is brought against the defendant as surety on a lease for the payment of the rent in case of the failure of the tenant. The amount claimed is \$200, with interest. The lease was made out in the names of the plaintiff and Poulin Aaron, and signed P. Aaron & Sen, which signature was erased and "Pauline Agron" written under it. The plaintiff's agent testified that Aaron first signed the name

sgent testified that Aaron first signed the name P. Aaron & Son, and then upon his objecting to that signature he ran his pen through it an I wrote Pauline Aaron and his own name; that the lease was afterwards taken to the defendant in that condition, when he signed as surety.

On the part of the delence it was sought to be established that the suretyship was for P. Aaron & Son, and that the erasure and substitution of the signature "Pauline Aaron" took piace after the defendant's signing it. And the further objection was taken that "Pauline Aaron" is the name of a woman, and not that of the party to whom the lease was made—"Paulin."

The Court iound that the signature P. Aaron &

made—"Paulin."

The Court found that the signature P. Aaron & Son was erased and the other name substituted before the defendant's signature, and that the evidence showed that the defendant became surety for Paulin Aaron, a man, and not for a woman, rendering judgment in favor of the plaintiff for \$214 50. For plaintiff, Paddock & Cannon; for defendant, C. Fine.

COURT OF GENERAL SESSIONS.

Alleged Forgery of a Satisfaction Piece-A Technical Acquittal. Before Recorder Hackett.

The fore part of yesterday's session of this Court was consumed in the trial of an indictment for forgery in the third degree against Henry M. Lowenstein, the allegation being that, on the 16th of May, 1870, he forged a satisfaction of judgment with Intent to defraud William W. and Charles A. Robbins. It appears that these gentlemen ob tained a judgment against A. Lowenstein, the wife of the defendant, in the Supreme Court for \$456 76, of the defendant, in the Supreme Court for \$450 76, which was entered on the 18th of May, 1868. Assistant District Atterney Russell opened the case for the people and called Isaac T. Brown, a docket clerk in the County Clerk's office, who swore that on the 18th day of June, 1872, Lowenstein presented the paper shown to him (the alleged forged document). Mr. Russell asked the witness what Lowenstein said at the time, whereupon Mr. A. Oakey Hall, who defended Lowenstein, objected to the question, and proceeded, in an elaborate argument, to urge that the indictment was defective. The main objection made by the learned counsel was that the so-called satisfaction piece was invalid on its face and could not be the subject of forgery. The statute expressly stated that, before a satisfaction piece could be uttered at all in its ground shape, it must be averred that the party so offering it was personally known to the Commissioner. The indictment failed to set forth that important fact, and was, therefore, a fatal omission.

Mr. Russell, in replying to the argument, contended that it could not be successfully urged that at least the instrument in question did not purport to discharge the obligation which it was intended to discharge, He said that the other question was "sprung" by the counsel, and he (Mr. Russell) not having had time to examine the authorities quoted by the counsel for the defendant, he suggested that the trial should proceed, and these questions be fully argued upon an arrest of judgment.

Mr. Hall replied that all things were "sprung," and that it would not be expected that he would publish his points in advance in the newspapers. He quoted a decision of Judge Sutherland at the General Term, which he claimed sustained the objection that he made to the indictment, and asked the Court to instruct the jury to acquit his client.

The Recorder held that the point taken by Mr. Hall was good, and was sustained by the decision which was entered on the 18th of May, 1868. As

acquithis client.

The Recorder held that the point taken by Mr. Hall was good, and was sustained by the decision of the General Term and the Court of Appeals. He had no objection to permit the trial to proceed if the counsel for the accused would not press the objection.

Mr. Hall renewed his request to have the jury instructed to render a verdict of not guilty, and Historical Countries.

structed to render a verdict of not guilty, and Honor accordingly did so, and the accused was quitted. A "Fast" Youth Sent to the Peniten-

tiary for Stealing a Diamond Pin. Charles Stapf, a youth, was tried and convicted of grand larceny, he having stolen a diamond pin on the 16th of July last, valued at \$175, from the person of Miles Connoily. Captain McCullough arrested the boy in a gambling saloon on Broadway and found a pawn-ticket for the pin in his pocket, which enabled him to recover the property. The accused told the Captain that he took it in a "lark," but when he went on the stand had the audacity to swear that he picked it up on the side-

andacty to swear that he picked it up on the side-walk.

The Recorder, in passing sentence, said that Stapi was a bad boy; but, as the jury recommended him to mercy, the sontence was modified to im-prisenment in the Penitentiary for three years.

Ernest Kraus pleaded guilty to an indictment charging him with steating clothing, valued at \$35, from the premises of Ludwig Trambauer, on the 7th of February. He was sent to the State Prison

7th of February. He was sent to the State Prison for two years.

Wm. Brantigan (a boy), charged with stealing a bracelet, a watch and \$30 in money, on the 7th inst., the property of Margaret Cogley, pleaded gulity. As the prisoner was under sixteen years of age, he was sent to the House of Refuge. Acquittals.

Henry Sturtz, a foreman in Singer's Manufacturing Company, was placed on trial, charged with entting Albert Wirl in the wrist with a knife, on the 11th of October, at 249 Broome street. The facts developed in the trial showed that on the day in question the defendant, who was shown to be a question the defendant, who was shown to be a very peaceable man, accompanied Wm. Schade and Caroline Keeling to the house of the complainant to demand a retraction of an alleged slanderous statement. Wirl took up a knife and threatened to kill them, and while Sturtz held his hand to pre-vent him stabblog Schade, he was slightly wounded in the wrist. The jury promptly rendered a verdict of not guitty.

in the wrist. The jury promptly rendered a verdict of not guility.

Fordinand Bielschofski was placed on trial charged with obtaining \$48 by faise representations from Jacob Stantherman on the 1st of February. After the examination of the complainant had proceeded for a while the prosecuting efficer stated that he was satisfied he could not prove the offence and abandoned the case. The jury were instructed to render a verdict of not guilty, and the Court adjourned.

THIRD DISTRICT COURT. "Marshal's Fees." Before Judge Fowler.

Smith vs. Hall et al.—This was an action by a former City Marshal fer his fees upon a levy made in 1871, under a judgment in another case, which went up on appeal and was atterwards paid and settled upon affirmance in the General Term.

The defendants claim that he is not entitled to anything from them and has no right of action, and insist upon the Marshal looking to the plaintiff or his attorney for his fees, and cites a case in the Court of Appeals sustaining their position. Decision reserved. Mr. Smith appeared in person and Mr. Arthur W. Williams for the defendants.

JEFFERSON MARKET POLICE COURT.

The Greene Street Shooting Affray. At the Jefferson Market Police Court yesterday pefore Justice Ledwith, John Wallace, of 436 West Nineteenth street, was charged with firing a pistol at John Murphy, of 172 Forsyth street. The evidence showed that the two men became engaged in a quarrel in a drinking saloon in Greene street; that they adjourned thence to the sidewalk, when Wallace drew a pistol and fired two shots at his antagonist, hitting him in the back and in the hand, but not seriously. He was committed, with-out bail, to answer.

Highway Robbery. William Dougherty, seventeen years of age, was charged with highway robbery by one David Callaghan, a stranger from Maine. The complainant testified that the prisoner kneeked him down in

the street and robbed him of \$5. He was com-

COURT CALENDARS-THIS DAY.

COURT CALENDARS—TRIS DAY.

SUPREME COURT—CIRCUIT—Part 1—Held by Judge Fancher.—Nos. 823½, 465, 789, 47, 305, 371½, 387½, 753, 1049, 1011½, 381, 383, 429, 467, 843, 849½, 923, 991, 1035. Part 2—Held by Judge Davis.—Nos. 2182, 1008, 1086, 552, 668½, 1130, 2264, 274, 300, 468½, 460, 620, 646, 708, 846, 610½, 998, 1034, 1244, 1902.

SUPREME COURT—UHAMBERS—Held by Judge Barrett.—Nos. 21, 25, 34, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 67, 120, 121, 131, 149, 153, 154, 172, 185, 193, 195, 228, 231, 232, 250, 268, 269, 271, 273, 275, 280, 282, 294. Call 209.

SUPERIOR COURT—Part 1—Held by Judge Freedman.—Nos. 2049, 339, 1503, 2431, 1521, 869, 2125, 2120, 2127, 2128, 2063, 1859, 47, 1831, 1895, 2100, 2083, 1077, 2145, 1285. Part 2—Held by Judge Curtis.—Nos. 50, 1762, 1588, 1860, 1870, 1672, 1876, 1878, 1880, 1882, 1894, 1886, 1890, 1892, 1894, 1896, 1902, 1904, 1916, 1918, 1920, 1922, 1926, 1928, 1900, 1933, 1938, 1938, 1938, 1942, 1944, 1946, 1948, 1964, 1968, 1960.

COURT OF COMMON PILAS—FRAIA TERM—Part 1—Held by Judge J. P. Daly.—Nos. 1012, 1940, 1528, 5194, 969, 972, 1599, 487, 200, 1008, 570, 1332, 1903, 644, 645, 1617. Part 2—Held by Judge Larremore.—Nos. 2114, 1564, 1427, 1652, 1695, 3275, 2030, 2062, 1631, 1640, 1627, 2124, 2125, 2128, 2139, 2130.

COURT OF COMMON PILAS—FRAIA TERM—Held by Judge Robinson.—Nos. 30, 53, 29, 45, 46, 55, 66, 2, 9, 21, 27, 52, 63, 64, 614, 26, 54.

Marine Court—Trial Term—Part 1—Held by Judge Curtis.—Nos. 588, 1879, 1141, 2267, 1813, 1775, 1853, 1858, 1870, 1889, 1617, 1293, 439, 1663, 1664. Part 2—Held by Judge Spaulding.—Nos. 1938, 1953, 1952, 1856, 1820, 1072, 1785, 1916, 1918, 1906, 1094, 442, 1597, 1920, 1931, 1992. Part 3—Held by Judge Howland.—Nos. 1740, 1860, 1816, 2326, 2135, 1866, 1890, 1893, 1994, 803, 1912, 1176, 2397, 2400, 2417, 2183.

BROOKLYN COURTS.

SUPREME COURT-CIRCUIT.

Alleged Breach of Contract. Before Judge Tappen. Eliphalet Stratton has brought suit against Elizabeth H. Sears to recover \$1,000 damages for an alleged breach of contract in refusing to convey to him, on certain conditions, two houses in Fortyto him, on certain conditions, two houses in Fortyninth street.

It is claimed by the defendant that in part payment for the houses the plaintiff was to convey to
her a certain stock of hardware, which he refused
to do.\ Hence, lease on the contract fell through.

COURT OF SESSIONS. A Father Killing His Childe

Before Judge Moore. Peter Fox, a rough, dissipated fellow, was yesterday tried for manslaughter, in having caused the death of his son, a lad of about fourteen years. Fox lived in the tenement house 52 Hepkins street, Fox lived in the tenement house 52 Hepkins street, and while drunk, on the evening of the 4th of February last, he beat and kicked his son, because the latter refused to go out and procure some beer. The blows and the cries of the poor boy were heard by other inmates of the house, but none of them interfered. Young Fox weg so badly injured that he died on the following day, and an examination of his body revealed wounds about the head and abdomen.

his body revealed wounds about the head and abdomen.

The defence gave out that the boy had died of small-pox or some other fell disease, but the prosecution proved plainly the state of facts related above, and the jury promptly convicted the prisoner of manishaughter in the fourth degree. Judge Moore thereupon sentenced him to the Penitentiary for two years, remarking that he was fortunate in escaping with such a light conviction.

A Bigamous Coachman. James Fox, a coachman, was convicted of bigamy vesterday. He was tried once before, but the jury disagreed. Fox married Mary Ann Orgleton, a disagreed. Fox married Mary Ann Orgieton, a cook, in 1870, and, shortly after the honeymoon, he sent his Mary Ann "over the sea" for the ostensible purpose of having her return with some of his folks. During her absence he wooed and won a buxom chambermaid named Maggle Scanlon. Father McEiroy united the pair in the holy bonds. Maggle was not aware that James had already been married. When Mary Ann returned and discovered this piece of reachery she caused the husband's arrest, and while he was in jail awaiting trial Fox attempted to commit suicide by severing an artery in his arm.

arm.
The jury yesterday considered the case for a couple of hours and then amounced their verdict. The prisoner was remanded.

THE GREAT TRAIN HOAX.

The "Pagan Dictator" and His Prosecu

tors in Court-Who Are the Lunatics ! The curtain rose on the second act of the great Train comedy in the Court De Lunatico Inquir presided over by Chief Justice Daly, at four o'clock yesterday afternoon. The audience was quite as large as at the matinde of the provious day, a number of ladies occupying orchestra chairs in front, "The coming Dictator" appeared with a coachman's nosegay in his buttenhole, and smiled and bowed on the learned Judge, Surgeon General Hammond, the gentleman who holds George is insane, and the audience generally. The opinion seems to have gained ground with those who were present in Court during the investigation of the last two days, from the wonderful quietude and gentlemanly bearing of the alleged "lunatic," that Mr. Train is playing the hugest kind of a practical joke on the authorities, and that now, when the farce is nearly ended, he is willing to become serious and surround himself with a phalanx of counsel to raise his bill of "damages" for all that he has suffered in his last "Bastile." Mr. George Bemis, Mr. Train's private secretary, who was ac-

of counsel to raise his bill of "damages" for all that he has suffered in his last "Bastile." Mr. George Bemis, Mr. Train's private secretary, who was accompanied by several ladies, occupied a seat near the Dictator. The good Mrs. Bishop, with the lawyer whom she has leed to save Mr. Train, had also stats in Court. The funniest and most suggestive scene in the whole comedy was when, at the adjournment of the Court, Surgeon General Hammond and "the coming Dictator" held a most animated conversation, apparently with great earnestness on both sides. Only one witness was examined, whose testimony was not concluded at the time of the adjournment.

TESTINONY OF DR. HAMMOND.

Dr. Wm. A. Hammond testified—Had made the question of mental diseases his special study for the last nine years; in connection with this present case visited the Tombs on the 16th and 17th of last month to examine Mr. Train and to report upon his mental condition to the District Attorney; on arriving at the Tombs expressed a wish to see Mr. Train in the counsel room; was told by the Warden that he refused to leave his cell; proceeded to the cell and found him lying on the bed, with his clothes on and a blanket wrapped round him; in coaversation he said that he had expected, on his return from Europe, to have been elected President of the United States, but that he despised the position now, and wouldn't accept it if offered to him; that he was then "Pagan Dictator;" that he would sweep forant out of power, and that he alone should rule the country; asked him if he would use the guillotine; Train said no, that he was a humane man, which I (witness) believe he is; he said he was chief of the Commune; that he would be razed and that the streets of New York would run with blood; out of these delusions he could not be reasoned, and that is an undoubted proof of his insanity; if he could be reasoned out of these assumptions of his there would not be the same amount of delusion; I tried him in this regard.

The Court—What did he say?

Witness—He replied

Cross-examined by Mr. Clarke Bell—The confinement which Mr. Train suffered from in his cell in the Tombs would be likely to develop insanity in any person predisposed to it; in reference to the questien of Dictator, he said he was the Dictator of 1873; in fact he said to me (witness), in this court room, that he is new Dictator; I believe Mr. Train has now disease of the brain.

Q. Doctor, did he tell you what was the matter with yourself—that you had the — 7 (Lauguter.)

A. No; I think not.

Q. Didn't he tell you that you weighed twenty pounds too much? A. I think he did; he may have said that I required additional exercise.

Q. That you are subject to die of apoplexy? A. He did. (Laughter.)

Q. Did he advise you to take Turkish baths? A. He did.

Q. For the purpose of reducing your avoirdupois?

A. I suppose so, (laughter); with reference to the prosecution against him he said he had to plead gullsy, but that he had committed no offence; he said he would stay in the Tombs and that they could not get rid of him.

A copy of the Toledo Sun, containing a report of the interview of the Medical Commission with Train in his cell in the Tombs, and which it was admitted had been written and lurnished by Mr. Train himself, was then handed to Dr. Hammond. Dr. Hammond read the article aloud by direction of the Court and by consent of counse, with such an evident gusto-for its contents that he made all and evident gusto-for its contents that he made all Cross-examined by Mr. Clarke Bell—The confine

its points tell in favor of George's humor and and casm, and with such effect that the sudience was convulsed with laughter from its opening parato its close. Court then adjourned till four o'clock this

UNITED STATES SUPREME COURT.

WASHINGTON, April 16, 1873. No. 199. Dair et al. vs. United States-Error to the Circuit Court for the District of Indiana --This was an action on a distiller's bond. The de-fence of the sureties was that the bond was signed by them in blank, upon condition that one Cloud should become a joint obligor before the delivery of the bond; but that it was delivered by the princithe bond; but that it was delivered by the principals without obtaining the signature of Cloud, and without their knowledge. The District Court found for the Government, as against the principals, but in favor of the sureties. The Circuit Court reversed that decree, and upon a second trial the verdict was against principals and sureties. It is here insisted that until the bond passed out of the possession of the obligors, with their consent, it was not valid, and that having, been by them placed in the hands of another for certain purposes the possession of that other is their possession, as their agent, and those wha deal with the agent are not protected, unless his acts are within his authority. The government contends that, as the bond was regular and perfect on its face and actually delivered without a stipulation, it cannot be avoided on the plea here made. Messrs, McDonald and Rutier, for plaintiffs in error; Assistant Attorney General Hill for government.

No. 154. Crapo et al. vs. Kelly, Sheriff of the City and County of New York-Error to the New York Supreme Court .- This was a proceeding in attachment against the ship Arctic, at the suit of a New York creditor. The assignees of the owners under the Massachusetts insolvent laws gave a bond pursuant to the New York statutes, and recovered possession of the ship, and the question was, in an action by the Sherif, on the bond, who was entitled to the property? The ship was registered at fair Haven, Conn., where all the owners resided, and about fifty days before the attachment the plaintiffs in error became the assignees of the owners of an undivided one-half for the benefit of their creditors, by proceedings taken in the Court of Massachusetts, the ship at the time being at sea. The Supreme Court gave the insolvent proceedings in Massachusetts no lorce as to property beyond the jurisdiction of the Court, because the insolvents themselves made no transfer, holding that, as the Court had only jurisdiction of the persons of the insolvents; it was necessary, that they should aid the Court by joining the transfer in order to give it any effect abroad. This Court held that the title of the portion of the ship owned by the insolvents was vested in Crapo and his associates by virtue of the proceedings in the Insolvency Court, and that this being the case they were just as much entitled to the property now as if it had gone down in the Pacific seas, in which case they would have been bound to collect the insurance and distribute it among the creditors. The judgment is reversed. Mr. Justice Clifford did not agree with the opinion, but concurred in its conclusions. Mr. Justice Bradley dissented. Mr. Justice Bradley dissented. Mr. Justice Interest the court of Claims.—In this case the transfer of the property now as its conclusions. Mr. Justice Bradley dissented. Mr. Just the Massachusetts insolvent laws gave a bond pur-

peal from the Court of Claims .- In this case the appellants claimed the proceeds of sixty-five bales of cotton captured by the government. The Court of cotton captured by the government. The Court of Claims found that they were entitled to recover unless debarred by having given aid and comfort to the rebellion; but finding that they had given aid and comfort to the rebellion, held, they being aliens, that they were not entitled to claim the benefits of amnesty and could not, therefore, recover. This Court hold that the amnesty proclamations of the President apply to aliens as well as to citizens, and reverse the judgment, directing the Court of Claims to enter a judgment for the claimants. Mr. Justice Field delivered the opinion.

No. 201. Honneronikle vs. Mayor, &c., of Georgetown.—Appeal from the Suprems Court of the Dis-

town .- Appeal from the Supreme Court of the District of Columbia .- This was the affirmance of a decree declaring the right of the old corporation of Georgetown, under its charter, to exact of the appellant a tax for certain street improvements. Mr. Justice Hunt delivered the opinion.

HOUSES, ROOMS, &C., WANTED. In this City and Brooklyn.

ROOMS IN A PRIVATE FAMILY-FOR A GENTLE man, wife, child and nurse. Address O. C., box 133 Herald Uptown Branch office. WANTED—A STORE ROOM IN ATTIC; A PARTY Wishing to store some light articles of furniture; the house to be occupied; vicinity west side. Address O. C., box 133 Heraid Uptown Branch office.

WANTED-TO RENT, FOR THE SUMMER, COM-mencing with May I to 10, or for the entire year, if all suits, a medium sized plainly but well furnished House, within one hour's ride by rail or boat from New York; neighborhood of Nyatk or Yoakers preferred; must be near depot or landing; rent about \$1,000 per an-num. Address, with particulars, MERCHANT, box 2,003 Post office, New York.

WANTED-BY A SMALL FAMILY, FROM ABOUT 1st May, a Parior Floor and Basement in a quiet, healthy locality. Address N. M. O., Herald office. WANTED BY GENTLEMAN AND WIFE-TWO OR three comfortable Rooms in a private house; loca-tion between Fortieth and Sixticht streets. Address, stating rent, E. K. B., 167 East Eighty-second street.

WANTED-A PARLOR AND DINING ROOM SUITS. black walnut; must be in good condition and but little used. Any party having such to dispose of at a low price will address, giving description, lowest price, &c., B. W., box 154 Herald office. WANTED-A ROOM AND BEDROOM, UNFUR-nished, in the upper part of the city, by a man and wife, in a house with a private family and genteel neigh-borhood. Address for two days H., box 173 Heraid office.

WANTED-A SECOND STORY OR FRENCH FLAT, ments, for a gentleman and his wife, with service; possession May 1, 1873. M. A. J. LYNCH, 58 Cedar street.

WANTED-THREE ROOMS, SECOND FLOOR, BY gentleman and wife, between Twelfth and Flitted streets, and Ninth and Third avenues; private house rent \$30. Address C. A. C., Post office, Jersey City, N. J. WANTED-BY A SINGLE GENTLEMAN, AN UN-furnished Room and Bedroom in a private house; west side preferred and in good neighborhood. Address K, Heraid office.

WANTED—AN UNFURNISHED PLOOR, WITH four or more rooms, ballroom, &c., between Tenth and Thirty-fourth streets and Fourth and Sixth avenued preferred. Address A. F., box 1,22 Fost office. WANTED-IMMEDIATELY, HOUSE, CITY OR vicinity, furnished or partly, where part of rent will be received in board, with privilege of other boarders. Address FARTIOULARS, Herald office.

WANTED-A FURNISHED ROOM, FRONTING WASH-ington square, by a gentleman; will keep it all Sum-mer it suited. Address T. H. W., Herald office.

WANTED-BY GENTLEMAN AND WIFE, TWO VI large or three small Rooms, not above Tenth street, nor below Canal; rent not to exceed \$18. Address HOUNEKEEPER, 144 Christopher street, all the week. WANTED-IN UNION SQUARE OR VICINITY, A Parlor and two Bedrooms, furnished, on second or third floor, for one year, by a gentleman and wife. Address F. M. R., box 6, 172 Post office, with full particulars.

WANTED-LOWER PART OF HOUSE OR FIRST, and Second Floors, between Fourth and Nineteenth streets, Brondway and Sixth avenue. Address D. FULLER, care F. G. Smith & Co., 47 Broome street. WANTED-BY AN ELDERLY GENTLEMAN, WITH-out board, one large, or large and small Room, see-ond floor, partially or entirely furnished, between Eighth and Thirty-fourth streets, and Sixth and Fourth avenues; private house preferred; rent not to exceed \$12 per week. Address FIFTY-ONE, Herald office.

WANTED TO RENT OR PURCHASE—A MEDIUM-sized House, near Broadway and Twenty-second street. Address, stating particulars and location, MER-ULANT, station F.

In the Country.

WANTED-FOR A SMALL FAMILY OF GENTLE-man and wife only, within an hour of City Hall, a small neat Cottage of about 8 rooms, with garden, mus-be in perfect order and with all conveniences; rent not to exceed \$400. Address M. E. C., Jr., Herald office. WANTED-TO HIRE A FRUIT FARM, WITH THE privilege of buying, one hour from city, one mile from depot; good buildings; rent \$300 or \$400. Address, with time table, S. BANFORD, 704 Third avenue.

POST OFFICE NOTICE.

POST OFFICE NOTICE.

The Mails for Europe, during the week ending Saturday, April 19, 1873, will close at this office on Wednesday at 12 M., on Thursday at 11 A.M. and on Saturday at 7, L. JAMES, Postmaster. LOAN OFFICES.

AT WOLF EROTHERS', 895 BROADWAY, BETWEEN Nineteenth and Twentieth streets—Money loanest on Watches, Diamonds, Jewelry, Silverware, Silks, and particularly Planos; private parlor for ladies; business strictly confidential.

A MERICAN OFFICE—ESTABLISHED 1854.—ANC amount loaned on Watches, Diamonds, Jewelry, Silverware, India Shawis, Laces, Valuables, &c.; or will buy; utmost value given. J. H. BARRINGER, 735 Broadway, opposite Astor piace.

AT 507 BROADWAY, CORNER FOURTH STREET.

A T 507 BROADWAY, CORNER FOURTH STREET.

Liberal advances on Diamonds, Watches, Jewelry,
Silks, Camel's Haur Shawls, Laces and personal property
of every description.

A T 57 THIRTEENTH STREET, NEAR BROADWAY.

Jewelry; advance on the same. ISAACS, Diamond
Broker, 57 Thirteenth street, near Broadway. 30 NASSAU STREET, OPPOSITE POST OFFICE.

Jewelry and all kinds of merchandise. The same bought and sold Room 1.

HAYMAN LEOPOLD.

403 SIXTH AVENUE, BETWEEN TWENTY-FOURTH on Diamonds, Watches, Jewelry, Sike, Laces and Shawla. Same bought at rull value.

685 BROADWAY, CORNER AMITY STREET,
which was a strength of the strength of the

1.267 BROADWAY, OVER HERALD BRANCH Fulton street, Broadlyn, Money loaned on Diamonds, Watches, Jewelry, &c. Same bought and sold.